

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

WILLIAM E. PETTY,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 4:17-CV-2615 JMB
)	
STATE OF MISSOURI, et al.,)	
)	
Defendants.)	

MEMORANDUM AND ORDER

This matter is before the Court upon Defendant City of St. Louis failing to waive service by January 5, 2018. Because Plaintiff paid the full filing fee neither the Court nor the United States Marshal Service performs service of process. Plaintiff is responsible for serving Defendant City of St. Louis pursuant to Rule 4 of the Federal Rules of Civil Procedure.

Plaintiff must serve Defendant City of St. Louis with summons. To do so, Plaintiff must submit to the Court for this defendant: i) a filed-stamped copy of his Complaint; ii) two (2) completed summons forms (AO Form 440); and iii) two (2) completed "Notice of Intent to Use Private Process Server" forms. The "Notice of Intent to Use Private Process Server" form must include the name and address of the process server who will be effectuating service upon Defendant City of St. Louis. Plaintiff must complete these forms and return them to the Clerk's Office. Once Plaintiff submits these forms, the Clerk's Office will sign and seal his summons and return them to him. The summons must then be served upon Defendant City of St. Louis by a private process server, and return of service must be filed with the Court. Attached to this Order are the necessary forms for service of the complaint by summons.

Accordingly,

IT IS HEREBY ORDERED that Plaintiff shall cause service to be effected upon Defendant City of St. Louis **no later than 90 days from the date of the filing of the**

Complaint. In absence of good cause shown, failure to timely serve said Defendant City of St. Louis shall result in the dismissal of Plaintiff's claims as to said defendant without prejudice.

IT IS FURTHER ORDERED that the Clerk of Court shall forward to Plaintiff with a copy of this Order: i) a file-stamped copy of the Complaint; ii) two (2) completed summons forms; and iii) a "Notice of Intent to Use Private Process Server" form.

/s/ **John M. Bodenhausen**
UNITED STATES MAGISTRATE JUDGE

Dated this 12th day of January, 2018.